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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

_____	)	
GARY ENGEL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:10-CV-3288
	)	
ROBERT BUCHAN, et al.,	)	Judge Shadur
	)	
Defendants.	)	
_____	)	

**DEFENDANTS UNITED STATES OF AMERICA'S AND ROBERT BUCHAN'S JOINT  
MOTION FOR LEAVE TO EXCEED THE FIFTEEN-PAGE BRIEFING LIMIT FOR  
THEIR MOTIONS FOR SUMMARY JUDGMENT**

The defendants United States of America and Robert Buchan (“Federal Defendants”), move for an order granting them leave to file memoranda of law in support of their motions for summary judgment in excess of the 15-page limit under Local Rule 7.1. The grounds for this motion are as follows:

The Federal Defendants’ motions present a number of legal questions arising from the investigation and prosecution of plaintiff Engel for a kidnapping committed in Missouri. The legal issues involve the interplay of substantive and procedural law relating to criminal investigations and prosecutions and include: whether probable cause supported Gary Engel’s prosecution; whether Engel has rebutted the probable-cause presumption arising from the Missouri state court’s ruling on that issue; whether the state prosecutors’ independent decision to proceed cuts off the Government’s liability for Agent Buchan’s actions; the scope of the plaintiff’s constitutional fair trial right; and whether in the circumstances Agent Buchan’s particular actions violated that right. The legal defense of qualified immunity also requires a separate examination of the state of the law bearing on Agent Buchan’s alleged actions at the time. In order that these potentially-dispositive legal questions are properly addressed, it is necessary to file memoranda in excess of the 15-page limit.

WHEREFORE the Federal Defendants move for leave, pursuant to Local Rule 7.1, to exceed the 15-page limit with respect to the memoranda supporting their respective motions for summary judgment.

DATED: April 25, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 25<sup>th</sup> day of April, 2013, I caused this Defendant United States of America's and Robert Buchan's Joint Motion for Leave to Exceed the Fifteen-Page Briefing Limit to be filed and served to the registered participants on the Notice of Electronic Filing (NEF) via the Court's CM/ECF system.

/s/ Leah Brownlee Taylor